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*Attorneys for Plaintiff SEASTREAK, LLC*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

In the Matter of the Complaint

of

SEASTREAK, LLC, as Owner of the Vessel  
SEASTREAK WALL STREET for  
Exoneration from or Limitation of Liability

Civil Index No.:  
2:13-cv-00315-WJM-MF

**DECLARATION OF WILLIAM R. BENNETT, III**

I, WILLIAM R. BENNETT, III, declare under penalty of perjury of the laws of the United States, pursuant to 28 U.S.C. § 1927, as follows:

1. I am a partner at the law firm of Blank Rome LLP, with offices at 405 Lexington Avenue, New York, New York 10174 and counsel for Plaintiff SEASTREAK, LLC

(“SeaStreak”). The statements herein are based upon my personal knowledge and review of SeaStreak’s documents and the pleadings filed in this action, except as otherwise identified upon information and belief.

2. I submit this declaration in support of SeaStreak’s motion, pursuant to Rule 12(f)(2) of the Federal Rules of Civil Procedure, for an order striking the affirmative defenses of various claimants that the \$7.6 million limitation fund established by Seastreak should be increased under the Flotilla Rule, and striking the jury demands made by various claimants.

3. The passenger ferry SEASTREAK WALL STREET allided with Pier 11 in Manhattan on the morning of January 9, 2013 as it was approaching the pier for docking.

4. The allision caused certain alleged injuries to a number of the three hundred and twenty six passengers on board the vessel.

5. On January 16, 2013 SeaStreak filed a petition in this Court under the Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.* seeking to limit its liability to the value of its interest in SEASTREAK WALL STREET on January 9, 2013, \$7.6 million. A true and correct copy of the “Verified Complaint For Exoneration From Or Limitation Of Liability” (Doc. No. 1) is attached hereto as Exhibit “A.”

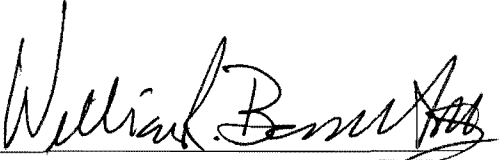
6. The Court approved an *ad interim* stipulation of value in the amount of \$7.6 million. A true and correct copy of the Order Approving Petitioner’s Stipulation For Value, Directing Issue of Notice, Restraining Suits and Directing the Filing of Claims (Doc. No. 3) is attached hereto as Exhibit “B.”

7. By the time of the claims deadline of May 16, 2013, forty-six (46) claims were filed in the limitation action. A true and correct copy of the Notice of Claims Filed is attached hereto as Exhibit “C.”

8. A true and correct copy of the Claim of Claimant John Urbanowicz ("Urbanowicz") (Doc. No. 9) is attached hereto as Exhibit "D."

9. A true and correct copy of the Answer To Complaint of Claimant Urbanowicz (Doc. No. 10) is attached hereto as Exhibit "E."

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 27, 2013, at New York, New York

  
WILLIAM R. BENNETT, III